

REMARKS

Restriction.

In the February 19, 2003 Office Action the Examiner required restriction to one of the following groups under 35 U.S.C. §121:

- Group I: Claims 1-31, drawn to a method of in vivo imaging expression of a gene in a brain cell of a vertebrate; and
- Group II: Claims 32-61, drawn to an imaging reagent or kit comprising an imaging reagent,

The Examiner further required a species election of one of the following targeting ligands for prosecution:

- 1) insulin;
- 2) transferrin;
- 3) insulin-like growth factor I (IGF-I);
- 4) insulin-like growth factor II (IGF-II);
- 5) basic albumin;
- 6) leptin;
- 7) prolactin;
- 8) an antibody that binds to an insulin receptor;
- 9) an antibody that binds to a transferrin receptor;
- 10) an antibody that binds to an insulin-like growth factor I (IGF-IR) receptor;
- 11) an antibody that binds to an insulin-like growth factor II receptor (IGF-IIR); and
- 12) an antibody that binds to a leptin receptor.

In response to this restriction requirement, Applicants elect Group I, claims 1-31.

With respect to the election of species, Applicants elect species 8, "an antibody that binds to an insulin receptor."

With respect to the election of species, the Examiner is respectfully reminded that if there is a generic claim, the Examiner is to include "a complete action on the merits of all the claims

readable on the elected species" MPEP 809.02(c). In addition, to the extent all species fall within the limitations of a generic claim ultimately determined to be patentable the non-elected species should no longer be deemed to be withdrawn and claims to the additional non-elected species should be considered by the Examiner.

Applicants further note that the following pending claims are readable on elected species: 1-25, and 27-31.

If a telephone conference would expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (510) 769-3513.

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Respectfully submitted,



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